

SEND

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 06-3007 PA (RZx) Date March 3, 2008  
Title Cal Citrus Packing Co. v. Robert Park, et al.

Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE

C. Kevin Reddick

Not Reported

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings:** IN CHAMBERS

Before the Court is plaintiff's Second Ex Parte Application to Reinstate Action and Enter Judgment (Docket No. 18).

This was an action brought pursuant to the Perishable Agricultural Commodities Act ("PACA"), 7 U.S.C. § 499e. The parties eventually settled the action and entered a Stipulation for Entry of Judgment. The Stipulation for Entry of Judgment required defendant Robert Park, an individual doing business as Sun Fruit Distributing ("Defendant"), to make certain payments to plaintiff Cal Citrus Packing Co. ("Plaintiff"). According to paragraph 14 of the Stipulation for Entry of Judgment, Defendant's failure to make those payments would allow Plaintiff to obtain a Judgment against Defendant on an ex parte basis:

In the event judgment is entered, judgment shall be in an amount equal to the full principal sum due to Plaintiff as described in this Stipulation, \$70,731.00, less any payments received by Plaintiff prior to entry of judgment plus accrued interest charges at 10% per annum from the date each obligation originally became due, plus charges, actual attorney's fees and costs and any and all other amounts allowed by this Stipulation.

Stipulation for Entry of Judgment, ¶ 14. According to Plaintiff, Defendant did not make a required payment in January 2008, and despite being given an opportunity to cure, has not done so. Plaintiff therefore seeks entry of a Judgment of \$101,947.93 (which includes the principal amount of \$70,731.00 plus 10% annual prejudgment interest from the date each obligation became due, less payments received, and \$8,567.93 in actual attorney's fees and costs) plus post judgment interest at an annual rate of 10% as provided in Judgment agreed to by the parties and attached to the Stipulation for Entry of Judgment.

**SEND**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 06-3007 PA (RZx) Date March 3, 2008  
Title Cal Citrus Packing Co. v. Robert Park, et al.

Defendant has not opposed the Ex Parte Application. Because Plaintiff has satisfied the requirements for the entry of Judgment as provided in the Stipulation for Entry of Judgment, the Court will issue the Judgment requested by Plaintiff.

IT IS SO ORDERED.

Initials of Preparer

\_\_\_\_\_  
:  
\_\_\_\_\_